

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MISC. ACTION NO. 23-00012-KD

IN RE:)
)
LISA MICHELLE COLLINS,)
)
Debtor.) **BANKRUPTCY ACTION NO. 22-12152**

LISA MICHELLE COLLINS,)
MICHAEL E. COLLINS, SR., and)
ESTATE OF DOROTHY WALDON)
COLLINS,)
)
Plaintiffs,) **ADVERSARY ACTION NO. 22-1025**
)
vs.)
)
RUSHMORE LOAN MANAGEMENT)
SERVICES, LLC; U.S. BANK)
NATIONAL ASSOC.; LOANCARE;)
and LAKEVIEW LOAN SERVICING,)
LLC.,)
)
Defendants.)

ORDER

Previously, in their objection to the Report and Recommendation to Withdraw the Reference, Plaintiffs Lisa Michelle Collins, Michael E. Collins, Sr., and Estate of Dorothy Waldon Collins reported that the parties reached a settlement. They requested transfer of the Adversary Action back to the Bankruptcy Court so that they could file the appropriate documents to finalize the adversarial proceeding (doc. 1-1, doc. 3).

The Court stayed the action and ordered the parties to file a joint status report (doc. 4). In November 2023, the parties reported their exchange of settlement documents and that they were in the process of finalizing the loan modification with anticipated completion in thirty (30) days

(doc. 5). As of January 12, 2024, the parties had not filed a notice of settlement or other document to advise the Court as to the status. The Court reviewed the Bankruptcy Adversarial Proceeding docket which indicated that a status conference was set for February 6, 2024.¹ In re Collins, et al., Adversary Proceeding No. 22-AP-01025 (Bankr. S. D. Ala. 2022). The Court continued the stay and ordered the parties to file a joint report on February 14, 2024, to advise the Court as to the status of the settlement and whether this action may be dismissed.

This action is now before the Court on the joint report (doc. 7). The parties report that the process of executing settlement documents had been delayed but they were now in the process of executing the final agreement. The parties anticipate completion within 21 days.

More than 21 days have lapsed and the parties have not filed a stipulation of dismissal or other document to indicate whether the settlement has been completed. **Accordingly, the parties shall file, on or before April 1, 2024, a joint report on the status of settlement and whether this action may be dismissed.**

DONE and ORDERED this the 20th day of March 2024.

s/ Kristi K. DuBose
KRISTI K. DUBOSE
UNITED STATES DISTRICT JUDGE

¹ Review of the docket in In re Collins, et al., indicates that the status conference was continued until April 9, 2024. The Bankruptcy Court ordered the parties to “be prepared to discuss the status of the district court case and whether this adversary case can now be closed.” (doc. 25).